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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------------|-------------|----------------------|---------------------|------------------|
| 09/961,246 | 09/25/2001 | Johan Rune | 040000-846 | 5736 |
| 21839 | 7590 | 11/29/2004 | EXAMINER | |
| BURNS DOANE SWECKER & MATHIS L L P | | | ENG, GEORGE | |
| POST OFFICE BOX 1404 | | | ART UNIT | PAPER NUMBER |
| ALEXANDRIA, VA 22313-1404 | | | 2643 | |

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|--------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/961,246 | RUNE, JOHAN |
| | Examiner | Art Unit |
| | George Eng | 2643 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 September 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/2/2002</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 10/2/2002 has been considered. However, the information disclosure statement filed 9/25/2001 is not considered due to the duplication of the listed documents.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the term “and/or” renders the claim vague and indefinite because it is unclear whether the at least one auxiliary transceiver controls the operation associated with page scan only, inquiry scan only or page scan and inquiry scan.

Claims 2-9 are also rejected because of depending on claim 1 containing the same deficiency.

Regarding claim 19, the term “and/or” renders the claim vague and indefinite because it is unclear whether the at least one additional transceiver is used to aid the first transceiver, the second transceiver or the first and second transceivers.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Martini et al. (US PAT. 6,675,015 hereinafter Martini).

Regarding claim 1, Martini discloses a Bluetooth network access point (18, figure 1) comprising a first transceiver (62, figure 1) for handling traffic and at least one auxiliary transceiver (54, figure 1) for controlling the operation associated with page scan and inquiry scan (col. 4 line 58 through col. 6 line 58).

Regarding claim 2, Martini discloses that two component are used in at least one auxiliary transceiver, wherein a first component (46, figure 1) for inquiry message which are used to discover neighbor node and a second component (52, figure 1) scans for page message from the neighbor (col. 5 line 55 through col. 6 line 29).

Regarding claim 3, Martini teaches the first transceiver and at least one auxiliary transceiver communicating with nodes using a radio link (col. 5 lines 26-28), which inherently includes a frequency hopping communication scheme.

Regarding claim 4, Martini teaches the first and at least one auxiliary transceivers appearing to nodes communicating with them as a single network access point (figure 1 and col. 6 lines 40-42).

Regarding claims 5-6, Martini teaches the first component responding to inquiry messages using inquiry response message, and the second component establishing a connection with neighbor, wherein the first transceiver (62, figure 1) communicates traffic information with a neighbor node after the second auxiliary transceiver establishes a connection with the neighbor node (col. 6 lines 1-52 and col. 7 line 61 through col. 8 line 8)

Regarding claim 7, Martini teaches the network access point being connected to a fixed infrastructure network (col. 5 lines 26-38).

Regarding claims 8-9, Martini discloses the first transceiver and at least one auxiliary transceiver having the same Bluetooth device address and being synchronized with the same clock (col. 5 lines 58-67).

Regarding claim 10, Martini discloses a method for establishing a traffic channel between a network access point (18, figure 1) with a node (12, figure 1) in a network, the method comprising the steps of scanning for inquiry messages by a first transceiver (54, figure 1) of the network access point, receiving an inquiry message by the first transceiver from the node and establishing a connection between the network access point and the node, wherein the node communicates with a second transceiver (62, figure 1) of the network access point after the connection is established (col. 4 line 58 through col. 6 line 58 and col. 7 lines 16-60).

Regarding claim 11, Martini teaches the steps of receiving a page message from the neighbor node by the first transceiver and responding to the page message by the first

transceiver, wherein the node initially establishes the connection with the first transceiver of the network access point (col. 6 lines 53-56).

Regarding claim 12, Martini teaches the steps of collecting a page message from the neighbor node by a third transceiver (46, figure 1) of the network access point responding to the page message, wherein the node initially establishes the connection with the third transceiver of the network access point (col. 5 lines 58-67 and col. 7 line 61 through col. 8 line 8).

Regarding claim 13, the limitations of the claim are rejected as the same reasons set forth in claim 3.

Regarding claim 14, Martini teaches the network access point and the node communicating in accordance with Bluetooth protocol (col. 5 lines 21-25 and col. 6 lines 46-48).

Regarding claim 15, the limitations of the claim are rejected as the same reasons set forth in claim 7.

Regarding claim 16, Martini discloses a method for establishing a traffic channel between a Bluetooth network access point (18, figure 1) and a node (12, figure 1), comprising the steps of scanning for inquiry messages by a first transceiver (46, figure 1), receiving an inquiry message by the first transceiver from the node, establishing a connection with the node by performing page scans by a second transceiver (54, figure 1), and transferring the established connection to a third transceiver (62, figure 1) for communicating traffic (col. 4 line 58 through col. 6 line 58 and col. 7 line 15 through col. 8 line 8).

Regarding claim 17, the limitations of the claim are rejected as the same reasons set forth in claim 8.

Regarding claim 18, the limitations of the claim are rejected as the same reasons set forth in claim 9.

Regarding claim 19, Martini teaches at least one additional transceiver is used to aid the first transceiver (col. 6 lines 48-51).

Regarding claim 20, the limitations of the claim are rejected as the same reasons set forth in claim 7.

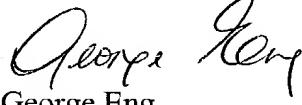
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ziegler (US PAT. 6,711,151) discloses a method of using paging for synchronizing with communication traffic without joining a network (abstract). Joerssen et al. (US PAT. 6,622,011) discloses an improved paging procedure for use in a low power radio communications network (abstract).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Eng
Primary Examiner
Art Unit 2643